

**AN ORDINANCE BY COMMUNITY DEVELOPMENT/  
HUMAN RESOURCES COMMITTEE**

**AN ORDINANCE TO AMEND ATLANTA CODE OF ORDINANCES BY ADDING A NEW SUBSECTION 110.70.4 WHICH SHALL CREATE AN OFF-LEASH PET AREA FOR DOGS IN A SPECIFIED AREA OF THE SOUTHBEND PARK; SAID AREA IS TO BE MAINTAINED BY THE FRIENDS OF SOUTHBEND PARK AND PARK PRIDE ATLANTA, INC.; TO ACCEPT CERTAIN IMPROVEMENTS TOTALING \$45,000.00 TO THE DESIGNATED OFF-LEASH PET AREA FROM THE FRIENDS OF SOUTHBEND PARK; AND TO NAME THIS AREA "THE SOUTHBEND DOG PARK" ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Department of Parks, Recreation and Cultural Affairs has an on-going arrangement with the Friends of Southbend Park and the Park Pride Atlanta, Inc. organization to maintain the Southbend Park located in Council District 1 at 1955 Compton Avenue, S.E., Atlanta, Georgia 30315; and

**WHEREAS**, the Friends of Southbend Park is an organization dedicated to the improvement of Southbend Park with a focus of this organization to attract wholesome activities into the park in order to encourage and assure that only legal activities take place in the park; and

**WHEREAS**, the Friends of Southbend Park has improved the beautification of the entire Southbend Park and they work in collaboration with the City of Atlanta Department of Parks, Recreation and Cultural Affairs, Office of Parks to effectuate these efforts on behalf of the citizens of the City of Atlanta and elsewhere that utilize Southbend Park; and

**WHEREAS**, the Friends of Southbend Park desires to have an off-leash area for dogs within Southbend Park and they have agreed to handle all costs associated with the development of an Off-leash Pet Area, which includes construction of two (2) acres of unimproved parkland, maintenance and supervision along with Park Pride Atlanta, Inc. of this proposed area at no cost to the City of Atlanta; and

**WHEREAS**, the Code of Ordinances of the City of Atlanta, Georgia prohibits walking dogs in any City park without a leash; and

**WHEREAS**, the Commissioner of the Department of Parks, Recreation and Cultural Affairs agrees with the concept of having a designated Off-leash Pet Area, and has confirmed with other Municipalities throughout the Country that this is an effective measure and will not cost the City of Atlanta any extra expenditures to accomplish this endeavor that has proved to be successful in Piedmont Park; and

**WHEREAS**, Neighborhood Planning Unit Y has approved this concept of an Off-leash Pet Area in Southbend Park (Copy of their approval letter is herewith attached); and

**WHEREAS**, this recommended change effecting the existing Codified Leash Law does require the Code of Ordinances to be amended; and

**WHEREAS**, the Friends of Southbend Park has agreed that the proposed Off-leash Pet Area shall be built in compliance with the standards set forth in the Atlanta Code of Ordinances Section 110-70(f) and that said rules of this section will be applied and they want to name this particular area "The Southbend Park Dog Park" that will improve Southbend Park usage, increase perception of safety, provide greater visibility for the park, utilize the un-used portion of the park, encourage diverse use of the park and its amenities and to reduce the maintenance burden of the City of Atlanta's Office of Parks.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, as follows:

**SECTION 1.** That the Atlanta Code of Ordinances shall be amended by adding a new subsection numbered 110-70.4 that shall read as follows:

**Sec. 110-70.4 Dogs Permitted in certain areas of Southbend Park.**

An Off-leash Pet Area for dogs shall be established on two (2) acres of undeveloped parkland within the Southbend Park. Said area shall be operated, maintained and supervised with the appropriate equipment, supplies, signage, and fencing by the Friends of Southbend Park at no cost to the City of Atlanta.

**SECTION 2.** The Off-leash Pet Area shall be named "The Southbend Dog Park".

**SECTION 3.** That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of the conflict.

**Part II: Legislative White Paper:** (This portion of the Legislative Request Form will be shared with City Council members and staff)

**A. To be completed by Legislative Counsel:**

**Committee of Purview: Community Development/Human Resources Committee**

**Caption: AN ORDINANCE BY COMMUNITY DEVELOPMENT/  
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**AN ORDINANCE TO AMEND ATLANTA CODE OF ORDINANCES BY ADDING A NEW SUBSECTION 110.70.4 WHICH SHALL CREATE AN OFF-LEASH PET AREA FOR DOGS IN A SPECIFIED AREA OF THE SOUTHBEND PARK; SAID AREA IS TO BE MAINTAINED BY THE FRIENDS OF SOUTHBEND PARK AND PARK PRIDE ATLANTA, INC.; TO ACCEPT CERTAIN IMPROVEMENTS TOTALING \$45,000.00 TO THE DESIGNATED OFF-LEASH PET AREA FROM THE FRIENDS OF SOUTHBEND PARK; AND TO NAME THIS AREA "THE SOUTHBEND DOG PARK" ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; AND FOR OTHER PURPOSES.**

**Council Meeting Date: September 8, 2009**

**Requesting Dept.: Parks, Recreation and Cultural Affairs**

**B. To be completed by the department :**

**1. Please provide a summary of the purpose of this legislation**

The purpose of this legislative request is to amend the City Code so as to authorize an Ordinance to allow the Friends of Southbend Park to designate two (2) acres of undeveloped parkland in that park as an Off-leash Pet Area for dogs at no costs to the City of Atlanta and to allow this group to work closely with Park Pride Atlanta, Inc. to effectuate the same.

**2. Please provide background information regarding this legislation.**

The Friends of Southbend Park an organization dedicated to the improvement of the City of Atlanta's Southbend Park located in Council District 1 at 1955 Compton Avenue, S.E., Atlanta, Georgia with a focus to attract wholesome activities into the park in order to dissuade a host of illegal and unsavory activities that are currently widespread in this park and they have improved the beautification of the entire park as they have collaborated with the Department of Parks, Recreation and Cultural Affairs, Office of Parks and Park Pride Atlanta, Inc. to accomplish keeping this park in great condition.

This group has approached the Commissioner of the Department of Parks, Recreation and Cultural Affairs to allow them to have an Off-leash Pet Area for dogs in the Southbend Park and they have agreed to handle all costs associated with the creation of this Off-leash Pet Area for dogs which include construction of two (2) acres of unimproved parkland, maintenance, fencing and supervision of the area at no cost to the City and she has agreed to have the two (2) acres so designated for this stated purpose.

The City Code is required to be changed because it prohibits walking dogs in any City park without a leash and this proposed Ordinance as attached will change the Code of Ordinances by creating a new section to allow this group to have an Off-leash Pet Area for dogs in Southbend Park and they want to name the area the "Southbend Dog Park".

**3. If Applicable/Known: N/a**

**(a) Contract Type (e.g. Professional Services, Construction Agreement, etc):**

**Fiscal Impact:** None to the City of Atlanta

**This Legislative Request Form Was Prepared By:** Debra F. Harris, M.A., Departmental Contracting Officer/Legislative Liaison-Department of Parks, Recreation and Cultural Affairs.

**NPU Y**  
**1411 Eric Street**  
**Atlanta, GA 30315**

Sunday, October 05, 2008

**City of Atlanta**  
Department of Parks, Recreation & Cultural Affairs  
675 Ponce De Leon Avenue, 8th Floor  
Atlanta, Georgia 30308

Sir:

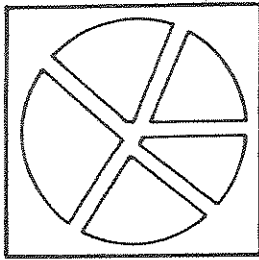
At the September 15 NPU Y meeting, the Friends of South Bend Park group presented their plans for an off leash dog park to be located in South Bend Park.

A vote was taken and the plans were approved by the members of NPU-Y 17-0..

Sincerely,

*Paul C. McMurray*

Paul C. McMurray, NPU Y Chairperson  
W: [404-498-6840/pzm5@cdc.gov](mailto:404-498-6840/pzm5@cdc.gov)  
H: [404-627-8271/pcm5@comcast.net](mailto:404-627-8271/pcm5@comcast.net)



**ATLANTA  
URBAN DESIGN  
COMMISSION**

ATLANTA CITY HALL  
55 TRINITY AVENUE, SW  
SUITE 3400  
ATLANTA, GEORGIA 30335-0331  
(404) 330-8200

July 9, 2009

Mr. Walt Ray  
Park Pride  
675 Ponce de Leon Avenue  
Atlanta, Georgia 30308

**Review and Comment (RC-09-099) on the construction of a dog park at  
1955 Compton Drive (South Bend Park) – Property is zoned R-4.**

Dear Mr. Ray:

At its meeting on June 10, 2009, the Atlanta Urban Design Commission reviewed and commented on the construction of a dog park at 1955 Compton Drive (South Bend Park). The Commission comments were as follow:

Ms. Ivenue Love-Stanley (Land Developer) asked, "Who's responsible for the up keep of the dog park? What are the hours... or do the hours correlate with the park? Can I bring my dog and have someone babysit my dog... or do I have to be in the dog park?"

Ms. Allyson McCarthy (Architect Position) added, "I'm familiar with the dog park in Decatur... I'm assuming you're going to have signage that explains what the policies are."

Ms. Savannah Ferguson (Real Estate Position) commented, "As your experience has led you down many paths of master plans...so has what we see in front of us and it's nice to see that it's finally monies already allocated and in place for something to happen. Obviously a larger master plan because of the lack of dog friendly space in Atlanta... and Piedmont Park being the only dog park that we have, it's definitely a much needed asset. I'm curious to see how it's going to be used, and how you're going to advertise and really reach out to those dog people to maybe relieve Piedmont Park a little bit and encourage that. I think that the visitation that you may get from the people now using this space will encourage maybe more interest in future projects within the park itself and its future plans. I think it's great that you have the community support that you do and that you're using underutilized space. I wonder when you said cars being blown up, refuge and waste... are there any environmental and health factors for the dogs? Are there any environmental concerns for the health of the dogs in the area? Well ... it's exciting that you have the money to do what you want to do! I think it's great for the community."

Mr. Wayne Carey (Historian Position) included an oversight that is needed in the presentation. "It's great that you have projected capitol budget, but you do not mention anything about seating, trash receptacle, dog poop stations or the signage and the placement throughout those two acres. That's what I'll be asking. Where is that? Where is that money in that budget and where are you going to put it and how does it work?"

Mr. John Cheeks (Urban Planner Position) commented on the fencing. "Is a 4 feet fence high enough for this? A chain linked fence along the frontage of Lakewood Avenue... doesn't seem quite appropriate even if it's black vinyl coating." Mr. Cheek suggested designing a fence that uses the chain link or something like it in some way that doesn't look like a chain link fence.

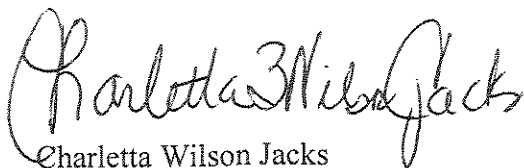
Mr. Wayne Carey made a suggestion about the setbacks. "If you have someone walking another dog along the sidewalk in a close proximity and you have the little pack thing that goes on you have an issue at the side walk and there needs to be some demarcation in there. Whether its lawn or lawn with planting. I would strongly suggest that."

Mr. John Cheeks included planting a hedge might be a security issue.

Ms. Allyson McCarthy included a possible resolution. "On the map, I'm assuming that you've got the small dog area... and you do actually have that inboard. Maybe you should flip that. So that the small dogs are actually adjacent to the sidewalks and there not the ones that can jump the fence."

Following the comments, Mr. Don Rooney moved for the Findings of Fact and to send a letter with observations and comments to the Applicant. Both motions received an unanimous vote in favor by the Commission.

Sincerely,

A handwritten signature in black ink, reading "Charletta Wilson Jacks". The signature is fluid and cursive, with the first name being the most prominent.

Charletta Wilson Jacks  
Director, Bureau of Planning  
Department of Planning & Community Development



# South Bend Park

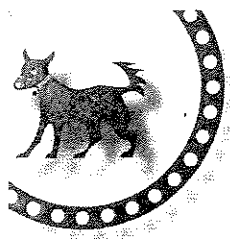
*Off Leash Dog Park*

*~ a case for support*



more & better parks... all over Atlanta



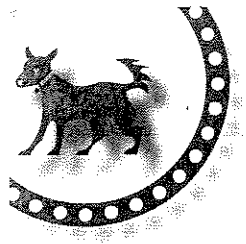


# Proposed South Bend Off Leash Dog Park

## *the site . .*

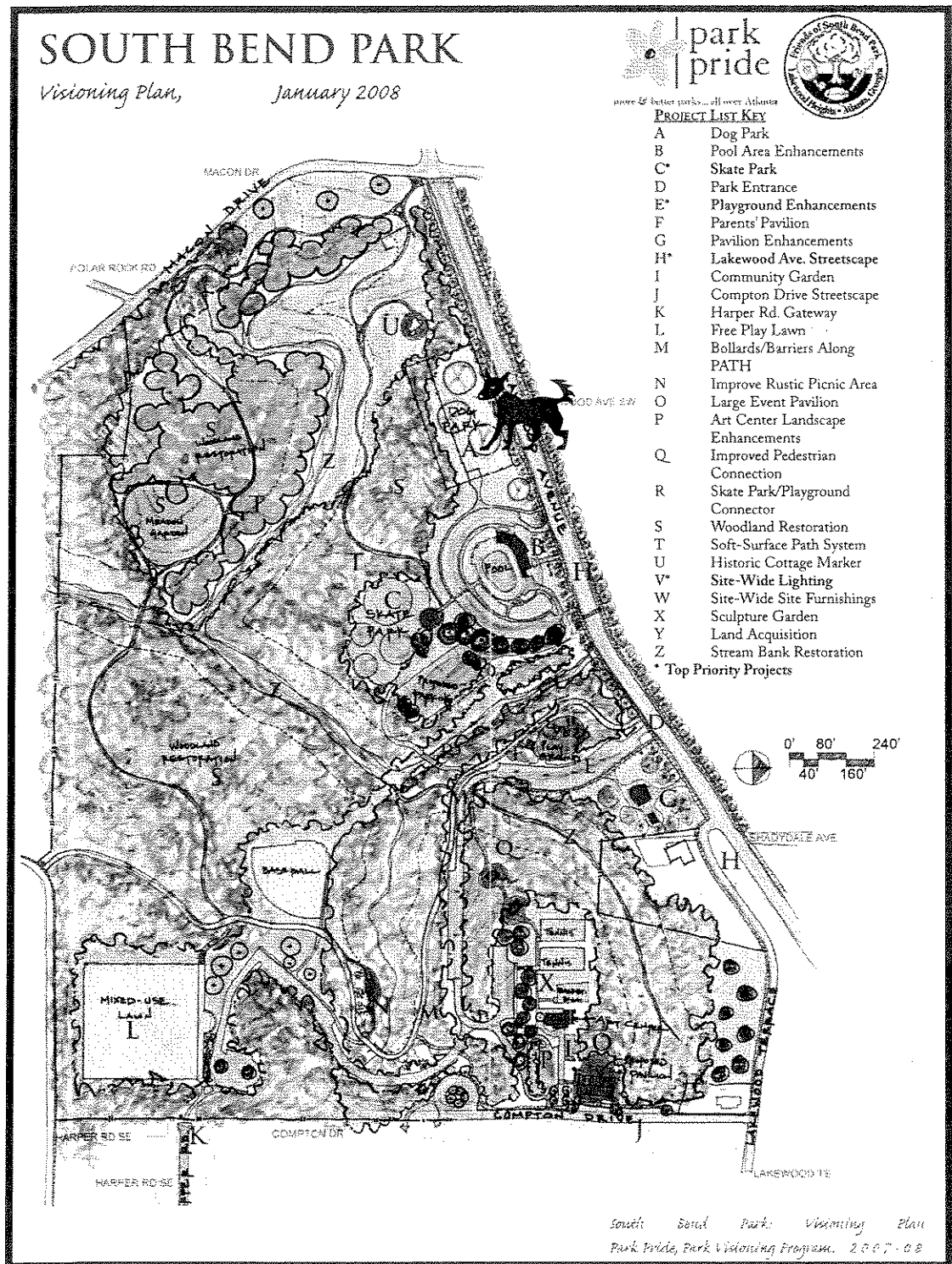
- Is located within an existing park, South Bend Park
- Is an under-used portion of the park
- Has a good mix of sun-shade
- Is located away from residential areas
- large, unused lawn
- part sun, part shade
- large, overstory trees and dense grass
- Is visible from street
- Has an available, un-used parking area
- Has unanimous community support
- Has existing problems with unsavory activity in park (illegal dumping, abandoning stolen cars, fires, vandalism, etc.)
- Takes advantage of vastly underutilized park resources.

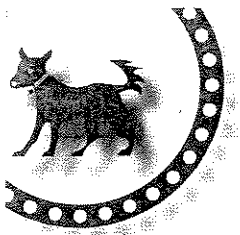




# South Bend Park - OLDP

*the larger vision...*

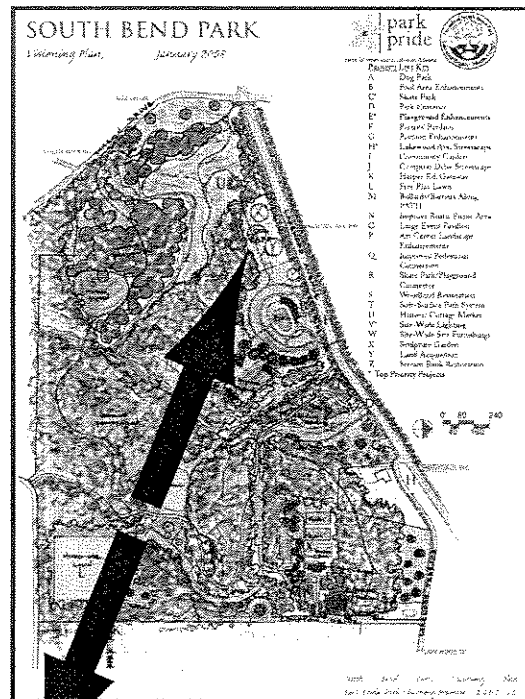




# South Bend OLDP

## *the design proposal*

- Converts an existing un-used park area into a 2-acre, enclosed dog-park with double-gated vestibule.
- Includes a separate area for smaller dogs.
- Will add a drinking fountain for dogs and people.
- Includes a paved path from parking area to gated entrance.
- Is part of a larger plan to enhance the park.

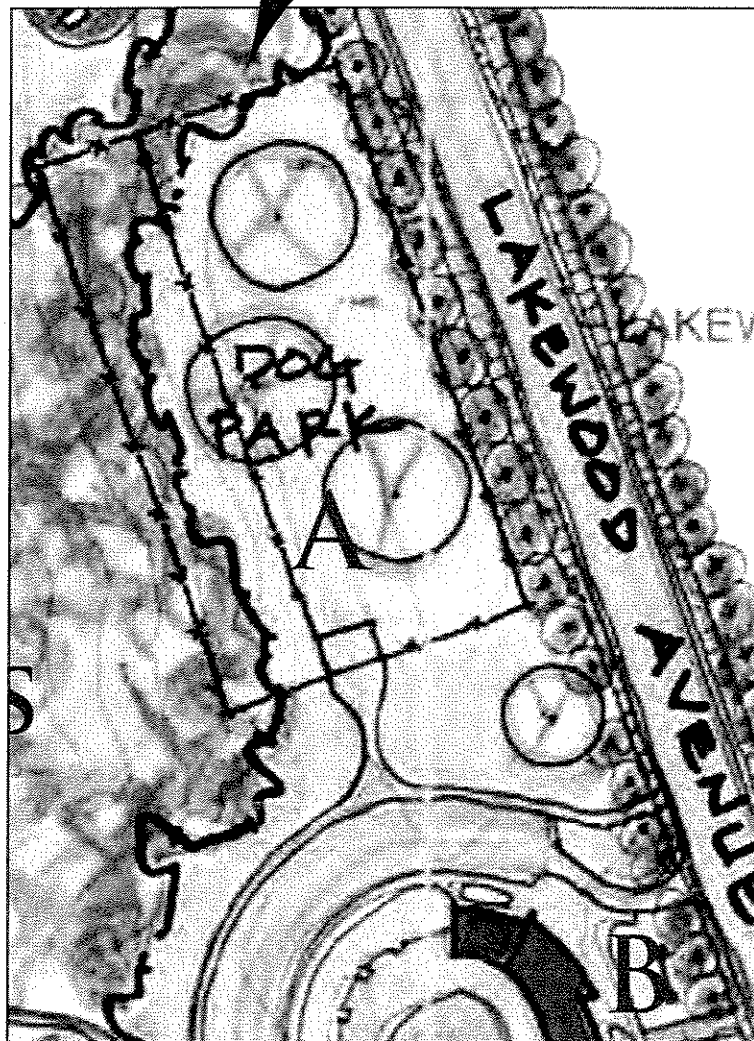


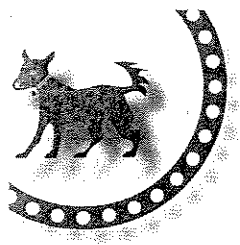
### **Proposed Cost:**

- \$15,000

### **Funding Sources:**

- Neighborhood Fundraising
- Park Pride Community Micro-Grant





# South Bend OLDP

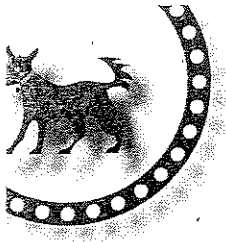
*the design proposal*



- Before



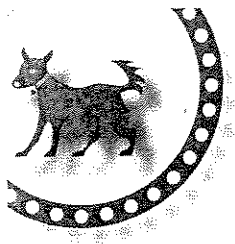
- Proposed



## South Bend Park - OLDP

### *benefits and strengths*

- This plan will
  - ✓ **Relieve** capacity at Piedmont Park (currently 20% of Piedmont Park usage involves use of its Dog Park)
  - ✓ **Improve** South Bend Park usage
  - ✓ **Increase** perception of safety (*People up to no good tend to avoid areas that have lots of dogs*)
  - ✓ **Provide** greater visibility for park usage (*South Bend's site is very visible from Lakewood Parkway, allowing visible, positive activities*).
  - ✓ **Utilize** underused portion of park
  - ✓ **Minimize** maintenance: the community, not Parks Department will be responsible for maintenance
  - ✓ **Encourage** diverse use of South Bend Park and its amenities.
  - ✓ **Reduce** the maintainance burden on City of Atlanta Parks Department.



# Capital Budget & Operating Budget

## **Projected Capital Budget:**

Drinking Water Fountain:	\$ 1,500.00
Pet-Station Installed:	\$ 500.00
Fencing, Installed:	\$ 10,000.00
<i>(4' high, 11 ga, black vinyl coated chain linked fence, with double vestibule and gates for operating access)</i>	
Entrance and Screening Landscaping:	\$ 3,000.00

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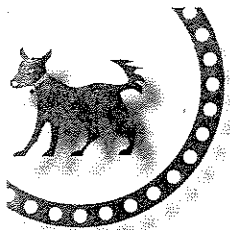
Total:	\$15,000.00*
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## **Projected Operating Costs:**

*(annually, if outsourced)*

Preventative Landscape Maintenance	\$2,000.00-\$3,000.00
<i>(Includes weed-control, mowing, edging, trash pick-up /clean-up).</i>	

*\*Site improvements do not include lighting or hardscaping.*



# Community Support

## *user surveys and documented commitment*

### ✓ Petition

Through the process of participating in the Park Visioning Process, community members voiced their need for a Dog Park in South Bend Park.

### ✓ Usage Survey and Site Survey

Community members provided routine check-ins and feedback regarding use patterns of the park at various public meetings.

### ✓ Community Support:

- Councilperson Carla Smith and her staff.
- Friends of South Bend Park
- Kevin Murnane
- Randy Veal
- Erika DuCloux
- Frank Arscott
- George Crawley
- Terry Felder

### *South Bend Park*



### *Public Meeting Schedule*

#### ✱ Tuesday, Oct. 16 2007

Visioning Meeting  
7.00 p.m., John Birdine Center.

#### ✱ Tuesday, Nov. 13 2007

Design Workshop  
7.00 p.m., John Birdine Center.

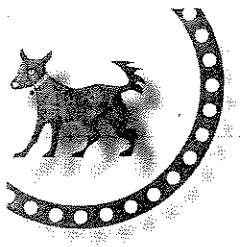
#### ✱ Monday, Dec. 17 2007

Preliminary Design Meeting  
7.00 p.m., John Birdine Center. (With NPU Meeting)

#### ✱ Tuesday, Jan. 15 2008

Final Design Meeting  
7.00 p.m., John Birdine Center.





# Community Responsibilities

## ✓ Maintenance, Management, Monitoring, Fundraising, & Clean-Ups

Unlike other attempts at dog-parks in City of Atlanta, this community has dedicated funding and man-power to build and maintain this park. The Friends of South Bend Park are leading the efforts to ensure the success of their Dog-Park.

- **\$40,000** in funding is currently available for construction of dog park.
- **100 volunteers** are available to build this dog-park in October of 2009.
- The existing funds cover the cost of installation, and can cover several years of out-sourced maintainance expenditure.
- When the need for additional funds arises, the community is to use neighborhood fundraising efforts and will apply for Park Pride Community Micro-Grants.



TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Debra F. Harris

Contact Number: (404) 817-6795

Originating Department: Department of Parks, Recreation and Cultural Affairs

Committee(s) of Purview: Community Development/Human Resources Committee

Chief of Staff Deadline: July 14, 2009

Anticipated Committee Meeting Date(s): July 28, 2009 and September 1, 2009

Anticipated Full Council Date: September 8, 2009

Legislative Counsel's Signature: Robin Shahar

Commissioner Signature: [Signature]

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

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FINANCIAL IMPACT (if any)  
Mayor's Staff Only

Received by CPO: \_\_\_\_\_

(date)

Received by LC from CPO: \_\_\_\_\_

(date)Received

by Mayor's Office: me 1/14/09 Reviewed by:   
(date) (date)

Submitted to Council: \_\_\_\_\_  
(date)